

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF IOWA
CENTRAL DIVISION

TERRY HARRINGTON,

Plaintiff,

vs.

POTTAWATTAMIE COUNTY, IOWA;
THE CITY OF COUNCIL BLUFFS,
IOWA; JOSEPH HRVOL; DAVID
RICHTER; MATTHEW WILBER;
DANIEL LARSEN; LYLE BROWN;
and DAVID DAWSON,

Defendants.

No. 05-CV-00178

TERRY J. HARRINGTON,

Plaintiff,

vs.

MATTHEW D. WILBER and
POTTAWATTAMIE COUNTY, IOWA,

Defendants.

No. 05-CV-90616

**MOTION FOR SUMMARY
JUDGMENT BY POTTAWATTAMIE
COUNTY, AND PROSECUTORS
HRVOL, RICHTER, AND WILBER**

CURTIS W. MCGHEE, JR.,

Plaintiff,

vs.

POTTAWATTAMIE COUNTY, IOWA;
THE CITY OF COUNCIL BLUFFS,
IOWA; JOSEPH HRVOL; DAVID
RICHTER; MATTHEW WILBER;
DANIEL LARSEN; LYLE BROWN;
and DAVID DAWSON,

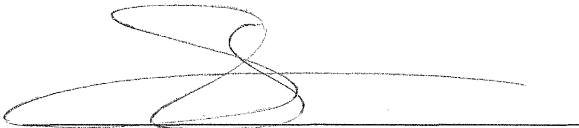
Defendants.

No. 05-CV-00255

COME NOW, Defendants, Joseph Hrvol, David Richter, Matthew Wilber, and Pottawattamie County; and pursuant to Federal Rule of Civil Procedure 56, Local Rules 7.1 and 56.1, and the Court's July 27, 2005, Order Consolidating these matters for pre-trial purposes, move this Court for Summary Judgment on all causes of action assert against them by Plaintiffs.

1. The pleadings, depositions, answers to interrogatories, and admissions on file, together with the affidavits, if any, show there is no genuine issue as to any material fact and that Defendants are entitled to judgment as a matter of law in their favor.

WHEREFORE, Defendants, Pottawattamie County, Joseph Hrvol, David Richter, and Matthew Wilber; and respectfully request the Court set this Motion for oral argument, enter judgment in their favor on all claims asserted against them, and for further relief as the Court deems just and proper.



Kristopher K. Madsen PO1009763
Robert M. Livingston PO 16838
STUART TINLEY LAW FIRM, LLP
310 W. Kanesville Blvd., 2nd Floor
P. O. Box 398
Council Bluffs, Iowa 51502-0398
Telephone: (712) 322-4033
Facsimile: (712) 322-6243
ATTORNEYS FOR DEFENDANTS POTTAWATTAMIE
COUNTY, HRVOL, RICHTER AND WILBER

/s/ _____
David S. Baker
Daniel C. Estes
FISHER PATTERSON SAYLER & SMITH, LLP
51 Corporate Woods, Suite 300
9393 W. 110th Street
Overland Park, KS 66210

/s/

Margaret Popp Reyes
Assistant County Attorney
Pottawattamie County Attorney's Office
227 South 6th Street
Council Bluffs, Iowa 51501

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on September 29, 2006, the above and foregoing Motion for Summary Judgment was electronically filed with the Clerk of the Court using the ECF system and that a true and correct copy of which was sent by regular U.S. mail to:

Alan O. Olson
Attorney at Law
3116 Ingersoll Avenue
Des Moines, Iowa 50312-3910

Stephen D. Davis
William H. Jones
Attorney at Law
10 S. LaSalle Street, Suite 3400
Chicago, Illinois 60603

David S. Baker
Daniel C. Estes
Attorney at Law
51 Corporate Woods, Suite 300
9393 W. 110th Street
Overland Park, Kansas 66210

Margaret Popp Reyes
Assistant County Attorney
Pottawattamie County Attorney's Office
227 South 6th Street
Council Bluffs, Iowa 51501

Michael Sciortino
Attorney at Law
209 Pearl Street
Council Bluffs, Iowa 51503

Thomas P. Frerichs
P.O. Box 328
Waterloo, IA 50704

Douglas McCalla
The Spence Law Firm, LLC
15 S. Jackson Street
P.O. Box 548
Jackson, WY 83001

A handwritten signature in cursive script, reading "Jennifer McDermott", is written over a horizontal line.